

AGENDA

**BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500**

**AUGUST 28, 2006
5:30 P.M. (EDT)**

1. INVOCATION

Tom Snyder, Deacon, Good Shepherd Church

PLEDGE OF ALLEGIANCE

John Hammond

ROLL CALL

MINUTES

July 24, 2006 Regular Meeting; August 14, 2006 Special Meeting; August 14, 2006 Work Session; August 17, 2006 Work Session; August 21, 2006 Special Meeting.

MAYOR'S REPORT

2. CEREMONIAL ITEMS

2.1 Employee Recognition

Background: The Board of Commissioners traditionally recognizes City employees who are retiring or are being promoted within the various City departments. At this meeting, the following individuals will be in attendance:

Sewer Department Bernard Woods, Jr., for retirement after 29 years, effective 8-31-06

3. ORDINANCES

3.1 SECOND READING: An Ordinance adopting and enacting a new code for the city of Frankfort, Kentucky; establishing the same; providing for the repeal of certain ordinances not included therein; and providing for the manner of amending such code.

Purpose: To consider adopting and updating a Code of Ordinances for the City of Frankfort.

Background: The City of Frankfort has worked with American Legal Publishing Company to correct typographical errors included in the Code and to include Ordinances enacted since passage of the last Code. The City Clerk and City Solicitor have worked with Department Heads and American Legal Publishing to ensure accuracy of the current Code.

Financial Analysis: The original Code approved in June 21, 2004 was financed through a grant from the Kentucky Department of Libraries and Archives. The cost of this update is \$3,055, of which \$2,304 includes codification of the new ordinances, and \$700 is a reprint fee. Funds are available in Account No. 100.20.53210.

This Ordinance had its first reading August 14, 2006.

Recommendation: Approval

Attachments:

- Ordinance

Contact Person:

Name: Rob Moore
Title: City Solicitor
Department: City Manager
Phone: 502-227-2271
E-Mail: rmoore@hazelcox.com

- 3.2 **FIRST READING:** An Ordinance amending Ordinance No. 23, 2005 Series and Ordinance No. 3, 2004 Series, being the adopted Subdivision and Development Plan regulations for Frankfort and Franklin County, by amending section 2.07.01 Public Open Space required and Section 3.07.01 Public Open Space required in its entirety.

Purpose: To amend the City's Subdivision and Development Plan Regulation Ordinance to amend the open space requirements as recommended by the Joint City/County Open Space Committee in order to achieve consistency between the City of Frankfort's and Franklin County's regulations.

Background: On November 20, 2003 the Subdivision and Site plan regulations were adopted. After several public work shops with the Subdivision Update Committee and Zoning Update Committee – amendments were recommended to be made to the Subdivision and Site Plan Regulations as well as the Zoning Ordinance in order to remove the inconsistencies.

On November 18, 2004, the Frankfort/Franklin County Planning Commission held a public hearing and took testimony concerning the attached ordinance amendments, then closed the public testimony and tabled the item to allow for the summary to be prepared.

On December 9, 2004, the Frankfort/Franklin County Planning Commission removed the item from the table, held discussions and made the following motions:

1. To change the existing open space requirement from 4% in the urban area to 2% and to change the existing open space requirement from 8% in the Suburban area to 4% and that the open space requirement would be applicable to subdivisions (residential) with 25 lots or more. (Motion passed by a vote of 6-2)
2. To add language to allow developers to install the driveway aprons at time of construction. (Motion passed by a vote of 7-1)
3. To approve the amended Subdivision and Development Plan Regulations with the two previous motioned changes and their attached zoning ordinance amendments and recommend the City and County agencies to approve the proposed text amendments. (Motion passed by a unanimous vote of 8-0)

On November 28, 2005 the City of Frankfort adopted the amendments as recommended by the Planning Commission, with the exception to the open space requirements. A joint city/county open space committee was formed to resolve this remaining issue.

On August 14, 2006, the City Commissioners agreed to proceed with the proposed text amendment attached to this abstract.

Recommendation: Approval

Attachments:

- Ordinance
- Proposed text amendments with strikeout and underline text provided.

Contact Person:
Name: Gary Muller
Title: Director
Department: Planning and Building Codes
Phone: 875-8513
Email: gmuller@fewpb.com

3.3 FIRST READING: An Ordinance establishing Step-up Pay.

Purpose: An ordinance to allow additional compensation to an employee who is temporarily assigned to a higher-level position.

Background: Currently there is no provision in city policy to provide for additional compensation to employees who are assigned to temporarily fill vacancies of a higher level. It is recommended that a salary increase of 6% be paid to employees who serve in such "acting" positions of a higher level. Only employees who serve in a higher capacity for a minimum of 15 calendar days would be eligible for the 6% increase in pay, with the approval of the City Manager and the Human Resources Director. A provision for such step-up pay was a recommendation of the Mercer Group.

Financial Analysis: Minimal; to be absorbed in each department salary budget.

Recommendation: Approval

Attachments:

- Ordinance

Contact Person
Name: John Morrow
Title: Human Resources Director
Dept.: City Manager
Phone: 502-352-2073
E-Mail: Jmorrow@fewpb.com

3.4 FIRST READING: An Ordinance amending Frankfort Code of Ordinances Chapter 40 Police and Fire Department, Section 40.36-same- Fire and Safety Inspector; Fire Training Officer.

Purpose: To consider amending the ordinance to add the position of Emergency Medical Services Director and establishing rate of compensation.

Background: The position of Emergency Medical Services Director is a duty assignment and a staff position appointed in the same manner as Fire and Safety Inspector and Fire Training Officer. The Emergency Medical Services Director position has never been established by ordinance. It is recommended that the position be established by adding it to Section 40.36 with the compensation set to comply with the similar duty assignments.

Financial Analysis: Funds budgeted in Fiscal Year 2006-2007.

Recommendation: Approval

Attachments:

- Ordinance

Contact Person		
Name:	Wallace Possich	John Morrow
Title:	Fire Chief	Human Resources Director
Dept.:	Fire	City Manager

Phone: 502-875-8511 502-3522073
E-Mail: wpossich@fewpb.com Jmorrow@fewpb.com

- 3.5 **FIRST READING:** An Ordinance amending Frankfort Code of Ordinances Section 115.09 to permit the sale of alcoholic beverages on New Years Eve.

Purpose: To permit the sale of alcoholic beverages on New Years Eve when the holiday falls on a Sunday.

Background: Representatives from the Franklin County Women's Shelter approached the City about extending hours during which alcohol can be sold when New Years Eve falls on a Sunday. They are planning a fundraising gala and requested that the hours be extended to accommodate this event, which will be held from 8:00 p.m. to 1:00 a.m.

Recommendation: Approval

Attachments:

- Ordinance
- Letter from Franklin County Women's Shelter

Contact Person:

Name: Tony Massey
Title: City Manager
Department: City Manager
Phone: 502/875-8500
E-Mail: Amassey@fewpb.com

4. ORDERS

5. RESOLUTIONS

- 5.1 Resolution authorizing the Frankfort YMCA to accept all allocated funds and to execute all documents pertaining to this grant.

Purpose: The purpose of this item is to consider approval of a resolution authorizing the Frankfort YMCA to enter into a Memorandum of Agreement with the Governor's Office for Local Development relating to the \$100,000.00 appropriation awarded to Frankfort by the Kentucky General Assembly during the 2006 Legislative Session. Adoption of the Resolution will allow the YMCA to enter into a MOA and sign all documents required to process the grant. The City has been informed that the Governor's Office for Local Development can enter into a Memorandum of Agreement with a non-profit organization without going through a municipality.

Background: The Frankfort YMCA received a \$100,000.00 allocation on the 2006 General Assembly's Line Item Budget. This resolution will allow the YMCA to enter into an MOA with GOLD and administer their own funds for the allocation.

Financial Analysis: This resolution would make it possible for the YMCA to administer its own grant and would save the City's Special Projects and Finance Departments time and resources.

Attachments:

- Resolution
- Project Scope and Budget

Contacts:

Name: Dave Steele Rebecca Hall

Title:	CEO	Grants Manager
Department:	Frankfort YMCA	City Manager
Phone:	227-9637	352-2076
Email:	dave@frankfortymca.org	rhall@fewpb.com

- 5.2 Resolution authorizing the filing of an application for 2006 Renaissance On Main grant funds and authorizing the Mayor to execute all documents pertaining to the application and grant.

Purpose: To authorize the filing of an application for 2006 Renaissance On Main grant funds and designating the Mayor to execute all grant related documents.

Background: The Governor's Office for Local Development and Renaissance On Main has requested grant applications from local government agencies for downtown improvement projects. The Downtown Frankfort, Inc. Board of Directors has determined that the project they would like to apply for is a façade project. The Board will advertise for property owners in the designated Renaissance area to submit proposals for façade work to their buildings. Property owners must commit to a 50/50 match of grant funds. A Resolution from the City is required as part of the full application package.

Financial Analysis: Property owners will be responsible for 50/50 match of grant funds. The City of Frankfort is not required to commit to any matching funds.

Recommendation: Approval

Attachment:

- Resolution

Contacts:

Name:	Harry Carver	Rebecca Hall
Title:	Executive Director	Grants Manager
Department:	Downtown Frankfort, Inc.	City Manager
Phone:	502-223-2261	502/875-8500
E-Mail:	downtown@dcr.net	Rhall@ewpb.com

- 5.3 Resolution assigning the City of Frankfort Finance Director as the Designated Applicant's Agent to administer FEMA disaster relief and grant funding (Frankfort DES).

Purpose: To consider adopting a resolution designating Stephen R. Dawson as the City's Applicant's Agent.

Background: To comply with FEMA regulations and KRS 39 it is necessary to name the City Finance Director as our "Designated Applicants" Agent. This designation authorizes the Finance Director to administer Federal and State disaster reimbursements and grant funding while complying with appropriate regulations, policies and requirements for such fiscal management. This resolution is concurrent with City Order No. 14, 2002 Series.

Recommendation: Approval

Attachments:

- Resolution
- Designation of Applicants Agent
- Applicant Assurances
- City Order No. 14, 2002 Series

Contact Person

Name: Wallace Possich

Title: Fire Chief
Dept.: Fire
Phone: 502-875-8511
E-Mail: wpossich@fewpb.com

6. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

- 6.1 To consider approval of the lowest bid for demolition of 283 Chandler Avenue and to authorize the Mayor to sign the Memorandum of Agreement (Planning and Building Codes).

Purpose: Approval of the lowest bid for demolition of 283 Chandler Avenue and to authorize the Mayor to sign the Memorandum of Agreement.

Background: In accordance with the Property Maintenance Code, Section 109.1, the City ordered the property owner of 283 Chandler Avenue to raze the condemned building within thirty days or the City would raze the building and charge the costs incurred to the real estate that remains. The property was properly noticed in accordance with the Property Maintenance Code.

A notice to raze the structure was sent to the owner at the last known address, on June 16, 2006, via certified letter, first class letter and the property was also posted with the same notice on June 16, 2006.

As of date, the owner has not contacted our department to confirm acceptance of the City of Frankfort to raze the structure and place a lien on the property if not paid. Acceptance is not required by our code. Quotes were requested from vendors, only two responded. John Feshal, Jr. was the lowest bidder at \$7,500. C.C. Moore's bid was for \$9,900.

Financial Analysis: The Planning and Building Codes Department has budgeted \$38,100 (Account No. 100-70-53295) for demolitions and nuisance abatement. As of date approximately \$38,100 remains. Upon approval of this bid and memorandum of agreement, the remaining budgeted amount for demolitions and nuisance abatement will be \$30,600.

Recommendation: Approval

Attachments:

- Bids received
- Draft Memorandum of Agreement
- Recent photo of property

Recommendation: Approval

Contact Person

Name: Gary Muller
Title: Planning and Building Codes Director
Department: Planning
Phone: 875-8513
Email: gmuller@fewpb.com

- 6.2 To consider authorization to add additional funds to the engineering contract with Bell Engineering, Inc. for the new liquid oxygen ozone disinfection system at the Wastewater Treatment Plant. (Sewer Department)

Purpose: The purpose of this item is to consider adding additional funds, Amendment # 4, to the contract with Bell Engineering to complete the preparation of specification and drafting services and provide construction site inspections during installation of the liquid oxygen ozone disinfection system.

Background: In September 2005 a contract was entered into with Bell Engineering to provide specification and drafting services to support the construction of the liquid oxygen ozone disinfection system at the wastewater treatment plant. In order to keep the cost for the new system within the current budgeted amount, the Sewer Department has determined that it will act as the General Contractor for the installation and approach the replacement as a design/build project. The Department is utilizing the services of Ozone System Services Group, Inc. as our ozone consultant and is utilizing Bell Engineering as a specification and drafting firm. This amendment covers additional effort associated with the design and specifications for the Static Mixer and site visits during construction and equipment installation.

The total contract amount is summarized below:

Original Contract	\$20,000
Amendment # 2	\$17,000
Amendment # 3	\$ 6,000
Amendment # 4	<u>\$17,000</u>
Revised Contract	\$60,000

This design effort is approximately 3.3 percent of the estimated construction cost.

Financial Analysis: Funds are available in Account No. 300.68.53295.

Recommendation: Approval

Attachments:

- Amendment # 4

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

6.3 To consider authorizing Mayor to sign a Joint Funding Agreement with the U.S. Geological Survey (USGS) (Sewer Department).

Purpose: To authorize the Mayor to sign a Joint Funding Agreement with the U.S. Geological Survey (USGS) to operate the gauging station upstream of Lock 4 in the Kentucky River.

Background: When the U.S. Army Corps of Engineers turned over operation of Lock 4 to the Kentucky River Authority, the USGS took over operation of the gauging station located upstream of Lock 4, which had been funded by the Corps of Engineers. The gauging station data is used extensively by the Sewer Department to monitor river flows relative to our discharge permit requirements.

Financial Analysis: Funds are available in Account No. 200.68.53295. Annual cost to the Department is \$2,580 (October 1, 2006 – September 30, 2007).

Recommendation: Approval

Attachments:

- Joint Funding Agreement

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

- 6.4 To consider authorizing a Sewer Extension Contract with William L. Crumbaugh, Member, Pebble Brook Development, LLC, a Kentucky limited liability company, Frankfort, Kentucky (Sewer Department).

Purpose: To approve a sewer extension contract with owner of Pebble Brook Subdivision at 643 Devils Hollow Road in Franklin County, Kentucky which is properly zoned for residential development of 98 lots, with improvements including 32 new manholes and 5,327 feet of 8-inch SDR 35 pipe serving lots 1 through 98.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

William L. Crumbaugh, Member, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval

Attachments:

- Sanitary Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

- 6.5 To consider authorization to award a contract to Duke's Root Control, Inc. to provide chemical root control services in sewer mains (Sewer Department).

Purpose: The purpose of this item is to consider awarding a contract to Duke's Root Control, Inc. to perform chemical root control services in sewer mains.

Background: Roots are an ongoing problem with aging sewers. The Sewer Department annually contracts to have roots chemically controlled throughout the system. This contract will allow the Department to treat approximately 5 miles of sewers. The product has a three-year warranty. Should roots return within treated mains within the warranty period, Duke's will return to treat that section of the main at no cost. This will be a unit price contract with a \$50,000 contract limit.

Financial Analysis: Funding is available in Account No. 300.68.54335.

Recommendation: Approval

Attachments:

- Proposals from Duke's Root Control, Inc.
- Bid Tab

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

- 6.6 To consider authorizing a bid award to Walters Buildings for the Street Division Administration Building (Public Works).

Purpose: To consider a bid award to Walters Buildings for the Street Division Administration Building.

Background: On 7/13/06 the City received two bids ranging from \$123,900 to \$174,374 for the Street Divisions new Administrative Building. Walters Buildings submitted the low bid.

The Street Division currently shares a building with the Transit Division. The Mercer Study recommended that the Transit Administrative staff should be moved from City Hall to the Transit Building located at 301 Bald Knob Road. This would allow the Transit Superintendent and Transit Foreman to be located in the same building with the drivers and mechanic. This would allow for better supervision as well as safety for the Mechanic working alone. In order to accommodate this recommendation, the Street Division would be required to construct a separate administrative building to house its 22 employees.

Financial Analysis: Funds are available in the Street Division's Equipment Account No. 100.62.56550 for these services.

Recommendation: Approval

Attachments:

- Bid tabulation sheet

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: 502/875-8563
E-mail: jhackbrt@fewpb.com

- 6.7 To consider authorizing a bid award to Jackson's Construction and Home Improvement for the Sanitation Division Administration Building (Public Works).

Purpose: To consider a bid award to Jackson's Construction and Home Improvement for the Sanitation Division Administration Building.

Background: The Board of Commissioners authorized Public Works to advertise for bids on a new Sanitation Administrative Building in June 2006. Bids were opened on 7-13-06 and the City received one bid for \$148,973 for the new Administrative Building. The bid submitted by Jackson Construction was substantially over the project budget. The City negotiated with the sole bidder in order to reduce the construction cost for the building. Jackson Construction was willing to provide changed specifications that would maintain the intended quality and scope of work but would lower the bid price. The revised estimate of \$135,000 submitted by Jackson Construction is approximately \$13,973 lower than the original bid.

Financial Analysis: In order to award the revised bid of \$135,000, it is recommended that the City approve \$4,000 from the Reserve for Contingency Account (100.95.53295) and the remaining \$131,000 from the Sanitation Division's Equipment Account (100.65.56550).

Recommendation: Approval

Attachments:

- Bid tabulation sheet
- Jackson's Construction revised bid dated 7/21/06

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: 502/875-8563
E-mail: jhackbrt@fewpb.com

- 6.8 To consider authorizing a bid award to Municipal Equipment for one 2006 New Way Garbage Truck (Public Works).

Purpose: The purpose of this item is to consider a bid award to Municipal Equipment for one 2006 New Way Garbage Truck.

Background: The Sanitation Division requires a garbage truck to replace a 1988 Ford garbage truck with over 100,000 miles. The older model garbage truck will be declared surplus. On 8-3-06, the City received five bids ranging from a high of \$142,535.42 to a low of \$110,151 submitted by Municipal Equipment.

Financial Analysis: Funds are available in the Sanitation Division's Equipment Account # 100-65-56550 for this purchase.

Recommendation: Approval.

Attachments:

- Bid tabulation sheet
- Bid specifications

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: 502/875-8563
E-mail: jhackbrt@fewpb.com

- 6.9 To consider authorizing bids for three transit buses and one passenger van, and authorization to use funds from the Transportation Improvement Account for the 10% local match (Public Works - Transit).

Purpose: To authorize bids for three transit buses and one passenger van and tap Transportation Improvement Account funds for the required 10% local match.

Background: The current City bus fleet consists of seven buses, three of which are five years old and have over 100,000 miles. The City also operates a 1991 Ford Crown Victoria that exceeds the age and mileage criteria for replacement. The 1991 Ford car is also used to transport passengers and for daily use. Once a transit vehicle reaches five years of age and 100,000 miles, the City can apply to replace the vehicle through the Federal Transit 5311 Capital Grant.

The City applied for and received approval for a Federal Transit 5311 Capital Grant to replace 3 transit buses and purchase a small passenger van that would replace the 1991 Ford sedan. The three buses and passenger car would be declared surplus.

Financial Analysis: Replacement of three buses and the 1989 Ford sedan will give the system increased reliability. The estimated cost of the three (3) busses and one (1) passenger van is \$190,000 with Federal Share (80%, \$152,000), State Share (10%, \$19,000), City Share (10%, \$19,000). The Transportation Improvement Account (Account No. 530-00-51100) has available funds for the City's share of the cost.

Recommendation: Approval

Attachments: None

Contact Person

Name:	Jeff Hackbart	Kay Brooks
Title:	Director	Transit Superintendent
Department:	Public Works	Public Works
Phone:	(502) 875-8565	(502) 875-8565
E-mail:	jhackbrt@fewpb.com	Kbrooks@fewpb.com

- 6.10 To consider authorizing expenditures under the existing BFI contract for disposal of dewatered biosolids at the wastewater treatment plant (Sewer Department).

Purpose: The purpose of this item is to authorize expenditures under the existing BFI contract for the disposal of dewatered biosolids.

Background: In June 2003, the Sewer Department opened bids for the turnkey disposal of dewatered biosolids generated by the wastewater treatment plant. BFI was the low bidder based upon their unit cost for disposal of \$13.96 per wet ton. The contract was signed on October 1, 2003 for a period of 5 years and does not expire until October 2008.

Financial Analysis: Funding is available in the amount of \$90,000 in Account No. 300.68.53295.

Recommendation: Approval

Attachments:

- Copy of signed contract

Contact Person

Name:	William R. Scalf, Jr., P.E.
Title:	Director
Department:	Sewer
Phone:	875-2448
Email:	wscalf@fewpb.com

- 6.11 To consider authorization to award additional funds to the engineering contract with GRW Engineers for the design of the new Pump Station along the US 421 corridor to replace the Industrial Park Pump Station. (Sewer Department)

Purpose: The purpose of this item is to consider adding additional funds, Amendment # 1, to the contract with GRW Engineers for design and bidding service for a new Pump Station along the US 421 corridor to replace the Industrial Park Pump Station.

Background: In February 2006 a contract was entered into with GRW Engineers to prepare a Feasibility Study and Master Plan for addressing the sewer along the US 421 corridor. This study has identified a recommended routing and pump station location that best services the area. This amendment includes funding for the design and bidding services of the pump station and force main, as well as permitting and a site survey of the final pump station location.

Additional funds will be necessary upon completion of design and bidding to cover construction administration, construction observation and other services as may be required. The design and bidding fees are based upon the standard Rural Development fee curves based upon the project cost estimate.

The total contract amount is summarized below:

Original Contract	\$ 50,000
Amendment # 1	<u>\$149,092</u>
Revised Contract	\$199,092

Financial Analysis: Funds are available in Account No. 450.68.56550.

Recommendation: Approval

Attachments:

- Amendment No. 1
- RD Design Fee Calculation

Contact Person

Name:	William R. Scalf, Jr., PE
Title:	Director
Department:	Sewer
Phone:	875-2448
Email:	wscalf@fewpb.com

6.12 To consider authorizing payment for Historical Highway Markers.

Purpose: To authorize payment for Historical Highway Markers for Oliver Percy Rood and Greenhill Cemetery.

Background: The Historical Highway Markers will commemorate the service of the US Colored Troops and Oliver Percy Rood at Greenhill Cemetery. The cost is \$1,750 for each marker, for a total cost of \$3,500. The Kentucky Historical Society will order these markers once payment has been received from the City. Two additional markers purchased by the Capital City Museum will be installed this fall.

Financial Analysis: Funds will be taken from Account No. 100.10.53295.

Recommendation: Approval

Attachments: None

Contact Person:

Name:	William I. May, Jr.
Title:	Mayor
Department:	
Phone:	502/875-8500
E-Mail:	kcca@dcr.net

6.13 To consider authorizing an Agreement that establishes a three party board to assist in the resolution of disputes and claims that may arise between the City and its Contractor, Affholder, Inc. on the East Main Outlet Tunnel project (Public Works).

Purpose: The purpose of this item is to consider an Agreement that establishes a three party board that shall assist in the resolution of disputes and claims that may arise between the City and its Contractor, Affholder, Inc.

Background: In order to assist in the resolution of disputes and claims that may arise between the City and the Contractor, the City has provided, in the Project Contract, for the establishment of a Disputes Review Board. The intent of the Board is to fairly and impartially consider the disputes placed before it and to provide written recommendations, to both the City and the Contractor, for resolution of these disputes. The Agreement shall set the terms of the scope of work and each party's responsibilities. As per the contract documents, the City shall reimburse the board members for all services and expenses.

Financial Analysis: Funds are available in the Bond Issue. Three site visits have been scheduled at an estimated cost of \$5,000/ea. The City can choose to cancel scheduled visits if there are no pending claims.

Recommendation: Approval

Attachments:

- Agreement

Contact Person

Name:	Jeff Hackbart	Ray Bascom
Title:	Director	Project Engineer
Department:	Public Works	HMB Engineers
Phone	502/875-8563	502/695-9800
E-mail	jhackbrt@fewpb.com	

6.14 Personnel

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Date</u>	<u>Other</u>
Appointments	Douglas G. Young Roger L. Gay	Finance Sanitation	8-29-06 8-29-06	License Enforcement Officer Tech I
Retirement	Bernard Woods Jr.	Sewer Dept.	8/31/06	Sewer Tech IV; authorize payment of all accrued vacation time as of effective date.

*Conditional offers of Employment:
Charles S. Shaw, Firefighter I
Richard W. Frost, Firefighter I
Kenneth A. Barnett, Firefighter I
Joshua S. Kyle, Firefighter I

*Contingent upon successful completion of a Physical and Drug Screen.

Attachment:

- Retirement letter – Bernard Woods, Jr.

7. BOARD APPOINTMENTS

7.1 Architectural Review Board

- Reappointment of John Downs for a term ending 9-12-09
- Reappointment of Roger Stapleton for a term ending 9-12-09

Attachments:

- Letters of Recommendation from Mayor May

7.2 Architectural Review Board

- Appointment of Donald D. Perry to complete term of Joe Johnson ending 9-12-08

Attachments:

- Letter of Recommendation from Mayor May
- Resume for Donald D. Perry
- Letter of resignation from Joe Johnson

8. OLD BUSINESS

9. NEW BUSINESS

9.1 FIRST READING: An Ordinance Fixing the Rate of Taxation for the Year 2007 on all Motor Vehicles and Levying said tax for all City purposes.

Purpose: The purpose of this item is to consider an ordinance to set the tax rate for motor vehicles for the year 2007 at 22.7 cents per \$100 valuation.

Background: The tax rate must be set no later than 10-1-06 as required by the Kentucky Department of Revenue. The tax rate proposed for 2007 is the same rate as approved for 2006.

Recommended: Approval

Attachments:

- Ordinance

Contact Person:

Name: Steve Dawson
Title: Finance Director
Department: Finance
Phone: 502/352-2083
E-Mail: Sdawson@fewpb.com

9.2 PUBLIC HEARING AND FIRST READING: An Ordinance Fixing the Rate of Taxation for the Year 2006 on all Tangible Property subject to tax, Trust and Insurance Companies, Public Service Companies and Levying said tax for all City purposes.

Purpose: The purpose of this item is to consider an ordinance setting the tax rate for 2006 Ad Valorem Taxes (allowing a 4% increase) and setting the rate for 2006 Insurance Taxable Capital Taxes.

Background: Proposed rates for 2006 are as follows (for General Fund Purposes):

1. Ad Valorem	19.7 cents
2. Insurance Taxable Capital	15.0 cents

Rates are levied for each \$100 valuation.

The 2005 Ad Valorem Tax rate was set at 19.7 cents.

Financial Analysis: The rates will remain unchanged for 2006 however the City will net an additional \$125,149 due to the change in Property Tax assessments. Included in the \$125,149 is \$20,642 derived from new property.

Recommendation: Approval

Attachment:

- Public Hearing Notice
- Ordinance

Contact Person:

Name: Steve Dawson
Title: Director
Director: Finance
Phone: 502/352-2083
E-Mail: Sdawson@fewpb.com

10. CITIZEN COMMENTS (Non-agenda items)

11. COMMISSIONER COMMENTS

12. ADJOURNMENT